



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

October 3, 1990

Mr. James T. Russell
Administrative Assistant
27th Judicial District
Bell & Lampasas Counties
Courthouse
P.O. Box 540
Belton, Texas 76513

OR90-466

Dear Mr. Russell:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10374.

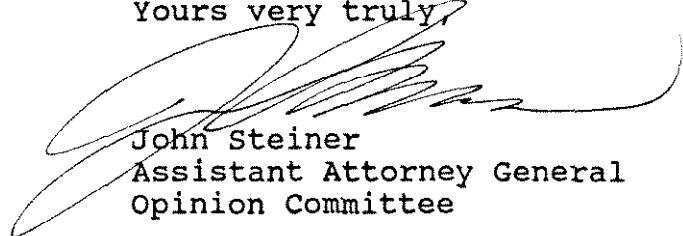
The District Attorney of the 27th Judicial District received a request from an individual for the "Certified Disposition" of the criminal prosecution against him. You contend that the record of disposition constitutes criminal history information, and that the requestor may only receive a copy of the information pursuant to the procedures outlined in Attorney General Opinion MW-95 (1979).

The conclusion reached in Attorney General Opinion MW-95 regarding an individual's right to copies of his own criminal history information generated by local or state officials is not apposite here. The "criminal history information" referred to in Attorney General Opinion MW-95, Houston Chronicle Publishing Co. v. City of Houston, 531 S.W.2d 177, (Tex. Civ. App. - Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976) and the Federal Regulations you cite are compilations of conviction and non-conviction data, identifying information, etc. The requested information in this instance is a specific document and not a compilation of criminal history information. This type of information may not be withheld from the requestor on the basis of common-law privacy. See V.T.C.S. art. 6252-17a, § 3B; see, e.g., Open Records Decision No. 565 (1990) at 10-12 (copy enclosed). Because you raise none of the act's other exceptions, you must in this instance release the requested information.

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Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-466.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'John Steiner', is written over the typed name and title.

John Steiner
Assistant Attorney General
Opinion Committee

JS/RWP/le

Ref.: ID# 10374

Enclosures: Open Records Decision No. 565

cc: Barrington Chambers
#90-A-3401
Bare Hill C.F.
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